



Journal of the Senate

Number 1—Special Session D

Tuesday, April 2, 2002

At a Special Session of the Florida Legislature convened under Article III, Section 3(c), of the Constitution of the State, as revised in 1968, and subsequently amended, at the Capitol, in the City of Tallahassee, on Tuesday, April 2, 2002, in the State of Florida.

CONTENTS

Announcements	3
Bills Outside the Governor's Proclamation	2
Call to Order	1
Introduction and Reference of Bills	1
Motions	2, 3
Proclamation	1

CALL TO ORDER

The Senate was called to order by President McKay at 11:00 a.m. A quorum present—35:

Mr. President	Jones	Pruitt
Burt	King	Rossin
Campbell	Klein	Sanderson
Clary	Latvala	Saunders
Cowin	Laurent	Sebesta
Crist	Lawson	Silver
Diaz de la Portilla	Lee	Smith
Dyer	Meek	Sullivan
Futch	Miller	Villalobos
Garcia	Mitchell	Wasserman Schultz
Geller	Peaden	Wise
Holzendorf	Posey	

Excused: Senators Carlton, Constantine and Dawson

PRAYER

The following prayer was offered by John G. Willis, Jr., Senior Pastor, Trinity United Methodist Church, Tallahassee:

Almighty God, thank you for this wonderful world, which you have created. It can be such a magnificent and marvelous place. Help us to be aware of the bountiful beauty that surrounds us at this time of year. We are privileged people to be here.

I pray your most special blessing and guidance on these men and women elected to represent us. Lord, these folks know only too well that politics is the art of compromise. But grant us the courage not to compromise our integrity. Help each of us to be willing to stand up and do the right thing.

God, while we are trying to make the great state of Florida a better place to live, we remember those in other places who are defending our way of life, who have lost loved ones through acts of terrorism and war, and for those who live daily in mortal fear for their lives. O God, I pray, let there be peace on earth and let it begin with me. Amen.

PLEDGE

Senator Miller led the Senate in the pledge of allegiance to the flag of the United States of America.

By direction of the President, the Secretary read the following proclamation:

PROCLAMATION

State of Florida
Executive Office of the Governor
Tallahassee

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES:

WHEREAS, the 2002 regular session of the Legislature of the State of Florida adjourned on March 22 without acting on legislation relating to the Florida School Code; and

WHEREAS, it is in the best interest of the people of the State of Florida that the Legislature act expeditiously to complete its work with respect to the Florida School Code;

NOW, THEREFORE, I, Jeb Bush, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

Section 1.

The Legislature of the State of Florida is convened in Special Session commencing at 9:00 a.m., Tuesday, April 2, 2002, and extending through 11:59 p.m., Friday, April 5, 2002.

Section 2.

The Legislature of the State of Florida is convened for the sole and exclusive purpose of considering legislation relating to the subject of the 2002 regular session conference report on Senate Bill 1564.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation convening the Legislature in Special Session at the Capitol, this 26th day of March, 2002.

Jeb Bush
GOVERNOR

ATTEST:
Katherine Harris
SECRETARY OF STATE

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senators Villalobos and Sullivan—

SB 2-D—A bill to be entitled An act relating to education and matters connected therewith; creating the “Florida K-20 Education Code”; creating ch. 1000, F.S., entitled “K-20 General Provisions,” consisting of part I relating to general provisions, part II relating to systemwide definitions, and part III relating to educational compacts; creating ch. 1001, F.S., entitled “K-20 Governance,” consisting of part I relating to state-level governance, part II relating to school district governance, part III

relating to community colleges, and part IV relating to state universities; creating ch. 1002, F.S., entitled "Student and Parental Rights and Educational Choices," consisting of part I relating to general provisions, part II relating to student and parental rights, part III relating to educational choice, and part IV relating to home education, private schools, and other education options; creating ch. 1003, F.S., entitled "Public K-12 Education," consisting of part I relating to general provisions, part II relating to school attendance, part III relating to control of students, part IV relating to public K-12 educational instruction, part V relating to specialized instruction for certain public K-12 students, and part VI relating to pilot public K-12 education programs; creating ch. 1004, F.S., entitled "Public Postsecondary Education," consisting of part I relating to general provisions, part II relating to state universities, part III relating to community colleges, and part IV relating to workforce development education; providing appropriations; creating ch. 1005, F.S., entitled "Nonpublic Postsecondary Education," consisting of part I relating to general provisions, part II relating to the Commission for Independent Education, and part III relating to licensure of nonpublic postsecondary educational institutions; creating ch. 1006, F.S., entitled "Support for Learning and Student Services," consisting of part I relating to public K-12 education support for learning and student services and part II relating to postsecondary educational institutions; creating ch. 1007, F.S., entitled "Access and Articulation," consisting of part I relating to general provisions, part II relating to articulation, and part III relating to access to postsecondary education; creating ch. 1008, F.S., entitled "Assessment and Accountability," consisting of part I relating to assessment, part II relating to accountability, and part III relating to the Council for Education Policy Research and Improvement; creating ch. 1009, F.S., entitled "Educational Scholarships, Fees, and Financial Assistance," consisting of part I relating to general provisions, part II relating to postsecondary student fees, part III relating to financial assistance, part IV relating to prepaid college board programs, and part V relating to the Florida higher education loan authority; creating ch. 1010, F.S., entitled "Financial Matters," consisting of part I relating to general accounting requirements, part II relating to financial reporting, part III relating to audit requirements and procedures, part IV relating to bonding, and part V relating to trust funds; creating ch. 1011, F.S., entitled "Planning and Budgeting," consisting of part I relating to preparation, adoption, and implementation of budgets, part II relating to funding for school districts, part III relating to funding for workforce education, part IV relating to funding for community colleges, and part V relating to funding for state universities; creating ch. 1012, F.S., entitled "Personnel," consisting of part I relating to general provisions, part II relating to K-20 personnel issues, part III relating to public schools personnel, part IV relating to public postsecondary educational institutions personnel, part V relating to professional development, and part VI relating to the interstate compact on qualifications of educational personnel; creating ch. 1013, F.S., entitled "Educational Facilities," consisting of part I relating to functions of the Department of Education, part II relating to use and management of educational facilities, part III relating to planning and construction of educational facilities, and part IV relating to funding for educational facilities; reenacting and amending s. 20.15, F.S., relating to the Department of Education, to conform; amending ss. 11.061, 11.40, 11.45, 23.1225, 24.121, 39.0015, 39.407, 61.13015, 105.061, 110.1228, 110.123, 110.151, 110.181, 110.205, 112.1915, 112.313, 120.52, 120.55, 120.81, 121.051, 121.091, 145.131, 145.19, 153.77, 159.27, 163.3177, 163.3191, 195.096, 196.012, 196.031, 196.1983, 200.001, 200.065, 200.069, 201.24, 210.20, 212.04, 212.0602, 212.08, 213.053, 215.20, 215.82, 216.181, 216.301, 218.39, 220.183, 222.22, 250.115, 255.0515, 255.0516, 265.2861, 265.603, 267.173, 267.1732, 282.005, 282.103, 282.105, 282.106, 282.3031, 282.3063, 282.310, 284.34, 285.18, 287.042, 287.055, 287.064, 288.039, 288.8175, 295.01, 295.015, 295.016, 295.017, 295.018, 295.019, 295.0195, 316.003, 316.027, 316.515, 316.6145, 316.615, 316.70, 316.72, 318.12, 318.14, 320.08058, 320.20, 320.38, 322.031, 322.091, 322.095, 322.21, 333.03, 364.508, 380.0651, 381.003, 381.005, 381.0056, 381.0302, 391.055, 393.0657, 394.4572, 394.495, 394.498, 395.602, 395.605, 397.405, 397.451, 397.951, 402.22, 402.302, 402.3057, 409.145, 409.1757, 409.2598, 409.9071, 409.908, 409.9122, 411.01, 411.203, 411.223, 414.1251, 440.16, 445.04, 445.0121, 445.024, 447.203, 447.301, 447.403, 450.081, 450.121, 458.3145, 458.324, 459.0125, 468.1115, 468.607, 468.723, 471.0035, 476.114, 476.144, 476.178, 477.0132, 477.019, 477.0201, 477.023, 480.033, 481.229, 488.01, 553.415, 559.902, 589.09, 627.733, 627.742, 627.912, 633.445, 633.50, 732.402, 784.081, 817.566, 817.567, 877.18, 921.187, 943.10, 943.22, 944.801, 948.03, 984.03, 984.05, 984.151, 984.19, 985.03, 985.04, 985.316, and 985.412, F.S.; conforming provisions and cross references; providing purpose of this act; authorizing activities relating to the reorganization of the Department

of Education and implementation of changes to the state system of education; repealing s. 187.201(1), F.S., relating to the education goals and policies of the State Comprehensive Plan; repealing s. 2 of ch. 2000-181, Laws of Florida, relating to the repeal of s. 236.081, F.S., effective June 30, 2004; repealing part I of ch. 243, F.S., relating to the educational institutions law, and ch. 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 239, 240, 241, 242, 244, and 246, F.S., relating to public education general provisions, functions of state educational agencies, the district school system, personnel of the school system, compulsory school attendance and child welfare, courses of study and instructional aids, transportation of school children, educational facilities, finance and taxation of schools, financial accounts and expenditures for public schools, vocational, adult, and community education, postsecondary education, distance learning, specialized state educational institutions, educational compacts, and nonpublic postsecondary institutions; providing for construction of the act in pari materia with laws enacted at the 2002 Regular Session of the Legislature; providing that such laws control over repealers contained in this act; providing duties of the Division of Statutory Revision; providing for review of ch. 1000-1013, F.S., during the 2003 Regular Session; naming certain buildings and roads; directing the universities, the Department of Transportation, and the Department of Management Services to erect markers; providing for severability; providing effective dates.

—was referred to the Committee on Education.

By Senator Villalobos—

SB 4-D—A bill to be entitled An act relating to public records; providing that it is the intent of the Legislature to enact legislation to address exemptions from public-records and public-meetings requirements relating to education; providing an effective date.

—was referred to the Committee on Education.

BILLS OUTSIDE THE GOVERNOR'S PROCLAMATION

By the direction of the President, the Secretary read the bills outside the Governor's proclamation by subject and sponsor as follows:

By Senators Lee and Sullivan—

A bill to be entitled An act relating to the H. Lee Moffitt Cancer Center and Research Institute.

By Senators Saunders and Pruitt—

A bill to be entitled An act relating to health care.

By Senator Lawson—

A bill to be entitled An act relating to regulating professions.

By Senator Lawson—

A bill to be entitled An act relating to regulating contractors.

By Senator Saunders—

A bill to be entitled An act relating to health care.

By Senator Wasserman Schultz—

A bill to be entitled An act relating to infant cribs.

MOTION

On motion by Senator Lee, all bills not within the purview of the Governor's proclamation were referred to the Committee on Rules and

Calendar so that a recommendation could be made as to whether a bill should be introduced, the Governor's proclamation notwithstanding.

ANNOUNCEMENTS

Senator Lee announced that the Committee on Education was granted permission to meet this day from 1:00 p.m. until completion to consider **SB 2-D** and **SB 4-D**.

MOTIONS

On motion by Senator Lee, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet this day from 3:00 p.m. until completion to set the Special Order Calendar for Wednesday, April 3.

On motion by Senator Lee, a deadline of 9:00 a.m. or 2 hours before session, whichever is later, was established for filing amendments to be considered during session on Wednesday, April 3.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 22, Regular Session, was corrected and approved.

RECESS

On motion by Senator Lee, the Senate recessed at 11:52 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 11:00 a.m., Wednesday, April 3 or upon call of the President.